

1 J. CHRISTOPHER JORGENSEN, ESQ.  
2 STATE BAR NO. 5382  
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5 *Attorneys for Defendant*  
6 *BAC Home Loans Servicing, LP*

7 **UNITED STATES DISTRICT COURT**  
8 **FOR THE DISTRICT OF NEVADA**

9 MICHAEL and COLEEN HUBEL,  
10 individuals,

Case: 2:10-cv-01476-JCM-LRL

11 Plaintiffs,

12 vs.

13 BAC HOME LOANS SERVICING, LP, a  
subsidiary of BANK OF AMERICA, N.A., a  
corporation, et al.,

14 **ORDER CANCELING LIS PENDENS**

15 Defendants.

16 This Court granted Defendant BAC Home Loans Servicing, LP's Motion to Dismiss on  
17 December 2, 2010 [DE 13].

18 Defendant further requests that the lis pendens currently recorded against the subject  
19 property by Plaintiffs Michael and Coleen Hubel ("Plaintiffs") be canceled.

20 The Court finds that Plaintiffs recorded a Notice of Pendency of Action ("Lis Pendens") on  
or about July 30, 2010, in Book No. 20100730 as Instrument No. 001866 in the real property  
21 records maintained by the Clark County Recorder. A copy of the Lis Pendens is attached hereto as  
22 Exhibit "A."

23 UPON CONSIDERATION of Defendants' request to cancel the Lis Pendens, and good  
24 cause appearing therefore, the Court hereby grants Defendant its requested relief and rules as  
25 follows:

26 1. IT IS ORDERED, ADJUDGED, and DECREED that the Lis Pendens is hereby  
27 cancelled, released, and expunged.  
28

2. IT IS FURTHER ORDERED, ADJUDGED and DECREED that this order canceling the Lis Pendens has the same effect as an expungement of the original Lis Pendens.

3. IT IS FURTHER ORDERED, ADJUDGED and DECREED that Defendant record a properly certified copy of this cancellation order in the real property records of Clark County, Nevada within a reasonable amount of time from the date of this order's issue.

ENTERED this 9th day of December, 2010.

By James C. Mahan  
UNITED STATES DISTRICT JUDGE

Submitted by:

LEWIS AND ROCA LLP

By: /s/ J. Christopher Jorgensen  
J. CHRISTOPHER JORGENSEN, ESQ.  
3993 Howard Hughes Pkwy., Ste. 600  
Las Vegas, NV 89169  
Attorneys for Defendant

**EXHIBIT "A"**

**EXHIBIT "A"**

(C)

Inst #: 201007300001866

Fees: \$15.00

N/C Fee: \$25.00

07/30/2010 12:08:14 PM

Receipt #: 446757

Requestor:

BOGGES & HARKER

Recorded By: MSH Pgs: 2

DEBBIE CONWAY

CLARK COUNTY RECORDER

APN#

177-02-210-004

11-digit parcel number may be obtained at:  
<http://redrock.co.clark.nv.us/assrrealprop/ownr.aspx>

Notice of  
Lis Pendens

Type of Document

(Example: Declaration of Homestead, Quit Claim Deed, etc.)

Recording Requested by:

Boogess + Harker

Return To:

Name Michael J. Harker, Esq.

Address 5550 Painted Mirage Rd. #205

City/State/Zip Las Vegas, NV 89149

This page added to provide additional information required by NRS 111.312 Section 1-2  
(An additional recording fee of \$1.00 will apply)

This cover page must be typed or printed clearly in black ink only.

1 PARCEL NO (177-02-210-004)  
2 BOGGESE & HARKER  
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5 DISTRICT COURT

6 CLARK COUNTY, NEVADA

7 MICHAEL and COLEEN HUBEL,  
individuals

CASE NO: A-10-621668  
DEPT NO: XVI

8 Plaintiffs,

9 vs.

10 BAC HOME LOANS SERVICING, LP, a  
Subsidiary of BANK OF AMERICA N.A. a  
Corporation and DOES I through X inclusive,

11 Defendants.

12 NOTICE OF LIS PENDENS

13 NOTICE is hereby given that an action has been commenced and is now pending in this court  
14 on the Complaint of the above-named Plaintiff against the above-named Defendants, seeking that the  
15 title to said interest of the parties to be granted to Plaintiff.

16 The real property in the County of Clark affected thereby is particularly described as follows:

17 SUNSET BAY CONDO  
PLAT BOOK 47 PAGE 7  
18 UNIT 104 BLDG 1

19 PARCEL NO. 177-02-210-004

20 Commonly known as 6851 Tamarus Street #104, Las Vegas, Nevada 89119.

21 DATED this 29<sup>th</sup> day of July, 2010.

22 BOGGESE & HARKER

23 BY: /s/ Michael J. Harker  
24 MICHAEL J. HARKER, ESQ.,  
Nevada State Bar Number 5353  
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26 Attorney for Plaintiffs

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